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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/041,005	01/07/2002	David E. Halasz	72255/08267	4708
23380	7590	06/06/2007	EXAMINER	
TUCKER, ELLIS & WEST LLP			CHEN, SHIN HON	
1150 HUNTINGTON BUILDING				
925 EUCLID AVENUE			ART UNIT	PAPER NUMBER
CLEVELAND, OH 44115-1414			2131	
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			06/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/041,005	HALASZ ET AL.	
	Examiner Shin-Hon Chen	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 May 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 71-93 and 101 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 71-93 and 101 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

1. Claims 71-100 have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/9/07 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 71-93 and 101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juitt et al. U.S. Pat. No. 7042988 (hereinafter Juitt) in view of Weatherspoon et al. U.S. Pat. No. 7174564 (hereinafter Weatherspoon).

5. As per claim 71, Juitt discloses a system, comprising: an authentication server disposed on a network (Juitt: figure 1A: authentication server 125); a switch coupled to the network and communicatively coupled to the authentication server via the network (Juitt: figure 1A: gateway server

120); and an access point communicatively coupled to the switch (Juitt: figure 1A: access points 102a-c); wherein the switch is configured to be the authenticator for the access point and is configured to check if rogue access point (Juitt: column 8 lines 39-42: authentication between gateway server and access points; column 14 lines 4-11: gateway server can detect rogue access points by utilizing MAC of access points); wherein the access point is configured to be the authenticator for a wireless client, the access point communicates with the authentication server using the secure communication session established with the switch (Juitt: column 8 lines 39-42); wherein the access point is configured to send a message to the switch comprising data representative of the wireless client responsive to the authenticated wireless client successfully authenticating with the authentication server (Juitt: column 9 lines 27-52: forwarding request to the gateway server...request can include identifier); and wherein the access point is configured to forward all communications received from the authenticated wireless client to the switch responsive to the authenticated wireless client successfully authenticating with the authentication server (Juitt: figure 1A: all requests have to go through access points to gateway server; figure 2: provide access upon authentication). Juitt does not explicitly disclose the switch is configured to be the authenticator for the access point and configured to authenticate the access point with the authentication server and establish secure communication with authentication server. However, Weatherspoon discloses that the authentication server authenticates the access point prior to authenticate the wireless device (Weatherspoon: column 5 lines 13-36). It would have been obvious to one having ordinary skill in the art to utilize the gateway server as the switch between the authentication server and access point and allow communication between wireless devices and network resources upon authentication of both access point and wireless devices. Therefore, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to combine the teachings of Weatherspoon within the system of Juitt because it prevents rogue access points to gain access to wired LAN (Weatherspoon: column 4 lines 51-55).

6. As per claim 72, Juitt discloses the system according to claim 71. Juitt further discloses the switch comprises a table of authorized users, wherein the switch updates the table of authorized users with the medium access control address of the authenticated wireless client (Juitt: column 11 lines 19-43: internal authentication database; column 13 lines 6-13: MAC).
7. As per claim 73, Juitt discloses the system according to claim 71. Juitt further discloses the switch comprises a table of authorized users, wherein the switch updates the table of authorized users with the medium access control list, the quality of service parameters and the access control list of the authenticated wireless client (Juitt: column 11 lines 19-43: maintains a internal database for authentication of authenticated users).
8. As per claim 74, Juitt discloses the system according to claim 71. Juitt further discloses wherein a session key is generated for subsequent communications between the authenticated wireless client and the access point responsive to the authenticated wireless client successfully authenticating with the authentication server (Juitt: column 7 lines 39-41: WEP data encryption).
9. As per claim 75, Juitt discloses the system according to claim 71. Juitt further discloses the system comprising the authentication server is responsive to establish a message authentication check key for the secure communication session between the switch and the access point (Juitt: column 6 lines 38-41: 802.11 protocol supports message authentication code for communications; column 7 lines 36-42: gateway server and access points can communicate using any well known communication protocols used between access points and wireless clients such as the 802.11).

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10. As per claim 76, Juitt discloses the system according to claim 75. Juitt further discloses wherein the message authentication check key uniquely identifies the access point to the switch (Juitt: column 7 lines 39-41).

11. As per claim 77, Juitt discloses the system according to claim 75. Juitt further discloses the system comprising:

the access point is configured to send the data representative of the authenticated wireless client signed with the message authentication check key (Juitt: column 7 lines 36-41; column 8 lines 39-44: communication between access point and gateway server is protected); and

the switch is responsive to receiving the data representative of the authenticated wireless client to verify the message authentication check key (Juitt: column 8 lines 39-44: authenticate packets from access points).

12. As per claim 78, Juitt discloses the system according to claim 77. Juitt further discloses the system comprising:

the switch is configured to maintain a database containing authorized media access control addresses (Juitt: column 11 lines 19-44: internal database; column 13 lines 10-12: authentication information includes MAC); and

the switch is configured to verify the message with the data representative of the authenticated wireless client was sent by the access point by verifying the media access control address of the access point (Juitt: column 14 lines 1-11: detect rogue access points by looking for MAC).

13. As per claim 79, Juitt discloses the system according to claim 78. Juitt further discloses the system comprising:

the data representative of the authenticated wireless client comprises a media access control address for the authenticated wireless client (Juitt: column 9 lines 25-42: access point forward requests to gateway server... request include identifier and authentication information; column 13 lines 10-12: authentication information includes MAC address);

the switch is responsive to receiving the data representative of the authenticated wireless client to store the media access control address for the authenticated wireless client in the database (Juitt: column 11 lines 25-44: internal authentication database maintains authentication information of authenticated users); and

the switch is responsive to receiving packets from the authenticated wireless client forwarded by the access point to verify the media access control address of the packets from the authenticated wireless client with the database (Juitt: column 13 lines 6-12).

14. As per claim 80, Juitt discloses the system according to claim 71. Juitt further discloses wherein the secure communication session is established between the switch and the access point prior to authenticating the authenticated wireless client (Juitt: column 14 lines 1-11).

15. As per claim 81, Juitt discloses the system according to claim 71. Juitt further discloses the system comprising: the switch maintains a database of authenticated supplicants (Juitt: column 11 lines 30-44); and the switch stores the media access control of the access point in the database responsive to the access point successfully authenticating with the authentication server (Juitt: column 13 lines 10-12).

16. As per claim 82, Juitt discloses a system, comprising: an authentication server disposed on a network (Juitt: figure 1A: authentication 125); a first authenticator communicatively coupled to the authentication server via the network (Juitt: figure 1A: gateway server 120); and a first supplicant

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communicatively coupled to the first authenticator (Juitt: figure 1A: access points 102a-c); wherein the first supplicant is configured to authenticate with the authentication server and establish a secure communication session with the first authenticator (Juitt: column 14 lines 1-11); wherein the first supplicant is configured to function as an authenticator for a second supplicant communicatively coupled to the first supplicant (Juitt: figure 1A: access points 102 and mobile device 100); wherein the first supplicant is configured to send a message with data representative of the second supplicant to the first authenticator responsive to the second supplicant successfully authenticating with the authentication server (Juitt: column 9 lines 27-52: forwarding request to the gateway server...request can include identifier); and wherein the first supplicant is configured to forward all communications received from the second supplicant to the first authenticator responsive to the second supplicant successfully authenticating with the authentication server (Juitt: figure 1A: all requests have to go through access points to gateway server; figure 2: provide access upon authentication).

17. As per claim 83-93 and 101, claims 83-93 and 101 disclose the same limitations as claims 71-82. Therefore, claims 83-100 are rejected based on the same reasons set forth above in rejecting claims 71-82.

Response to Arguments

18. Applicant's arguments with respect to claim 71-93 and 101 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen
Examiner
Art Unit 2131

SC


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100